

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

MAY 10 2023

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

OMAR JOSE CALZADA ,	§	
Movant,	§	
	§	
Vs.	§	SA-12-CR-642-XR-2
UNITED STATES	§	Civil No: SA:21CV467
RESPONDENT,	§	Civil no# 5:22-CV-01308-XR ✓

NOTICE OF APPEAL

Notice is hereby given that Movant, Omar Jose Calzada hereby appeals to the United States Court of Appeals for the Fifth circuit from the final judgement in this action and from the Judgement order of this Court (ECF. Doc. 198) entered on court record by the Court Clerk on the 14th day of April, 2023. , Court ORDER (ECF DOC. 198) in Case#SA-12-CR-642-XR-2 and COURT ORDER (ECF.Doc. 33) in Case# 5:22-CV-01308-XR within the 30 day time limit . This Court had provided a Court Order in a form of **JOINDER** on 4/13/2023 with the filing of (ECF. Doc. 198) ORDER DENYING 196 Motion to Vacate 196 MOTION to Vacate 190 Order in Case# SA-12-CR-642-42 , Civil no:SA:21CV467 **NOW IN A JOINDER** with the filing in Case #5:22-CV-01308-XR of (ECF. Doc. 33) ORDER GRANTING re 9 Motion to Dismiss for Failure to State a Claim filed by Brandon Roberts, Patton Zarate, GRANTED 8 Motion to Dismiss for Failure to State a Claim *and Alternative Motion to Stay* filed by Mitchell Yager, Angelina Martindelcampo, Lucy Adame-Clark, Mary Angie Garcia, MOOT 26 MOTION for Summary Judgment filed by Omar Jose Calzada,

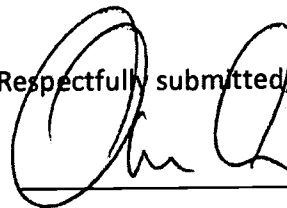
MOOT 28 MOTION to Compel filed by Omar Jose Calzada, 30 MOTION for Hearing MOOT 30 MOTION for Hearing MOOT 29 MOTION for Hearing. Signed by Judge Xavier Rodriguez. (wg) (Entered: 04/14/2023)

In Civil no# 5:22-CV-01308-XR, (ECF. Doc . 11) ORDER DENYING 6 Motion for Recusal or Removal of Judge Xavier Rodriguez. Signed by Judge Xavier Rodriguez. (wg) (Entered: 01/20/2023) will be INCLUDED in this notice for an Appeal to the 5th circuit.

In Civil no# 5:22-CV-01308-XR , Calzada will further include during the appeal before the 5th circuit all rule 59 and rule 60 (b) or (d) Motions (ECF. Doc 35 – 40) Dated after the filing of the Court Order (ECF. Doc 33) on 4/14/2023 in which this Court Responded with “TEXT” orders Denying with refusals to entertain the motions to Amend/ Alter , Relief from Judgment, Fraud Upon the court, pertaining to the ORDER (ECF.DOC. 198) .

Date signed : 5/8th/2023

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Omar Calzada', written over a horizontal line.

Omar Calzada (Sui Juris)

3305 Falcon Grove, San Antonio, Texas

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Certificate of Service

This is to certify that on MAY 9th, 2023 a true and correct copy of the above and foregoing document was served on Robert W. Piatt III, J.Eric Magee, Matthew Lathrop through Certified Mail US. Postal service at address listed :

PARTIES SERVED

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A handwritten signature in black ink, appearing to read 'Omar J. Calzada', is written over a horizontal line.

/S/ Omar J. Calzada